

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

ROGER KIRK,

Plaintiff,

Civil Case No. 07-CV-14146

v.

MICHAEL KULWICKI, ET AL.,

DIST. JUDGE PAUL D. BORMAN  
MAG. JUDGE MONA K. MAJZOUB

Defendants.

/

**ORDER ADOPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION IN FAVOR OF DENYING DEFENDANTS  
MOTION TO DISMISS**

Before the Court is the Magistrate Judge's February 25, 2008 Report and Recommendation in favor of denying Defendants' Motion to Dismiss. (Dkt. No. 21). Having reviewed that Report and Recommendation, and there being no objections, the Court enters as its findings and conclusions the Report and Recommendation **DENYING** Defendants' Motion to Dismiss.

**SO ORDERED.**

s/Paul D. Borman

PAUL D. BORMAN

UNITED STATES DISTRICT JUDGE

Dated: July 21, 2008

**CERTIFICATE OF SERVICE**

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on July 21, 2008.

s/Denise Goodine

Case Manager